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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/330,519	06/11/1999	MICHAEL D. ELLIS	UV-52	9514
75563 7590 09/01/2009				
ROPES & GRAY LLP PATENT DOCKETING 39/361 1211 AVENUE OF THE AMERICAS NEW YORK, NY 10036-8704				
EXAMINER				
HOSSAIN, FARZANA E				
ART UNIT		PAPER NUMBER		
2424				
MAIL DATE		DELIVERY MODE		
09/01/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/330,519

Applicant(s)

ELLIS ET AL.

Examiner

FARZANA HOSSAIN

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 51-56, 58, 60-81, 83 and 85-100 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 51-56, 58, 60-81, 83 and 85-100 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notices of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/15/2009 has been entered.

2. The examiner would like to note this request for continued examination was filed after a request for pre-brief appeal decision.

Response to Amendments

3. This office action is in response to communications filed 06/15/2009. Claims 1-50, 57, 59, 82, 84 and 101-125 are cancelled. Claims 51, 58, 76 and 83 are amended. Claims 52-56, 60-67, 69-75, 77-81, 85-92 and 94-100 are original. Claims 68 and 93 are previously presented.

Response to Arguments

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4. Applicant's arguments filed 06/15/2009 have been fully considered but they are not persuasive.

Regarding Claims 51 and 76, the applicant argues that the applicant's specification clearly distinguishes between program guide data and supplemental data as defined in the specification (Page 12). The applicant argues that Lawler discloses first accessing program schedule information and subsequently accessing more detailed program schedule information. The applicant argues that Lawler does not disclose accessing a first set of information and later accessing a second set of detailed information for a single program listing (Page 13). Therefore, Lawler fails to show "accessing the program listing associated with a program listing displayed in the interactive program guide, wherein the program guide data is stored in the local memory, "identifying the program listing as the user browses through the interactive program guide to determine a potential upcoming need for supplemental data associated with the program listing, wherein the supplemental data is stored in the remote memory," and responsive to determining the potential upcoming need, automatically supplying the supplemental data from remote memory to the interactive television program guide in advance of the upcoming need" (Page 13).

In response the argument, the examiner respectfully disagrees. Lawler discloses that a user navigates and accesses a program listing via a focus frame for program guide data and based on the monitoring of the accessing the CPU identifies the program listing and determines the need for supplemental data that is stored in the headend (Column 14, lines 16-29, Figure 4, 268, Column 4, lines

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41-44). Therefore, Lawler discloses first accessing program guide data and then accessing second information or supplemental data which can include other variety information (Column 4, lines 41-44) and therefore, the processor determines the upcoming need by the user's navigation to the program listing and in advance to the upcoming need for supplemental data or ahead of the user requesting more information manually, the program guide automatically supplies via updating the supplemental data from the remote memory (Column 14, lines 16-29).

Therefore, Lawler discloses accesses program guide data for a program associated with a program listing displayed in the interactive program guide, wherein the program guide data is stored in the local memory (Column 9, lines 63-65); and identifies the program listing based on the focus frame (Column 14, lines 16-29), as the user browse through the interactive program guide, to determine a potential upcoming need for supplemental data associated with program listing, wherein the supplement data is stored in the remote memory (headend) (Column 14, lines 16-29, Figure 4, 268); and wherein, responsive to determining the potential upcoming need, the system automatically supplies the supplemental data from the remote memory to the interactive television program guide in advance of the upcoming need Column 9, lines 54-60, Column 14, lines 16-29).

Claim Rejections - 35 USC § 102

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5. The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 51, 52, 54-56, 60, 61, 68, 69, 71, 76, 77, 79-81, 85, 86, 93, 94 and 96 are rejected under 35 U.S.C. 102(e) as being anticipated by Lawler et al (US 5,805,763 and hereafter referred to as "Lawler").

Regarding Claim 51, Lawler discloses an interactive television program guide system in which an interactive program guide is implemented on a user TV equipment of a plurality of users (Figure 6) is implemented on user television equipment of a plurality of users (Figure 1, Figure 2), comprising:

local memory at the user television equipment that is configured to store program guide data for use by the interactive television program guide (Figure 2, 60, Column 9, lines 63-67, Column 10, lines 1-3, Figure 6);

remote memory at a location remote from the local memory (Figure 1, 34, Column 4, lines 36-40) that is configured to store supplemental data for access by the interactive television program guide (Column 14, lines 16-29), wherein the interactive television program guide (Figure 6):

accesses program guide data for a program associated with a program listing displayed in the interactive program guide, wherein the program guide data is stored in the local memory (Column 9, lines 63-65); and

identifies the program listing based on the focus frame (Column 14, lines 16-29), as the user browse through the interactive program guide, to determine a potential upcoming need for supplemental data associated with program listing, wherein the supplement data is stored in the remote memory (headend) (Column 14, lines 16-29, Figure 4, 268, Column 4, lines 41-44);

and wherein, responsive to determining the potential upcoming need, the system automatically supplies the supplemental data from the remote memory to the interactive television program guide in advance of the upcoming need (Column 9, lines 54-60, Column 14, lines 16-29).

Regarding Claim 52, Lawler discloses all the limitations of Claim 51. Lawler discloses a television (TV) distribution facility configured to distribute TV programming to the users' equipment (Figure 1, 12, 34, 10, Column 3, lines 45-67).

Regarding Claim 54, Lawler discloses all the limitations of Claim 51. Lawler discloses that the TV distribution facility configured program guide data includes TV program listings (Column 4, lines 35-60, Figure 3, Figure 6) and the supplemental data includes detailed program descriptions for at least some of the TV program listings (Figure 3, 108, Column 14, lines 16-29, Column 4, lines 39-

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44, Figure 6, 268), the system further comprising a TV distribution facility in which the remote memory is located (Figure 1, 34).

Regarding Claim 55, Lawler discloses all the limitations of Claim 51. Lawler discloses the program guide data stored in the local memory can be accessed more rapidly with IPG than the supplemental data stored in the remote memory as accessing supplemental data stored at the headend requires a request from the user or prediction of user's upcoming need (Column 9, lines 63-65, Column 10, lines 1-3).

Regarding Claim 56, Lawler discloses all the limitations of Claim 51. Lawler discloses wherein the program guide data includes television program listings and wherein the supplemental data includes detail program description for at least some of the program listings (Column 14, lines 16-29, Column 4, lines 38-44, Figure 3, 108), the system further comprising a television distribution facility in which the remote memory is located (Column 4, lines 35-60), wherein the television program listings can be accessed more rapidly with the interactive program guide than the detailed program descriptions as accessing supplemental data stored at the headend requires a request from the user or prediction of user's upcoming need (Column 9, lines 63-65, Column 10, lines 1-3). See rejections of Claims 54, 55, 79 and 80.

Regarding Claim 60, Lawler discloses all the limitations of Claim 51. Lawler discloses wherein the supplemental data includes an application or application extension (Column 4, lines 41-45).

Regarding Claim 61, Lawler discloses all the limitations of Claim 60. Lawler discloses the application or application extension is a user selectable option or a link to a video preview (Column 4, lines 41-45).

Regarding Claim 68, Lawler discloses all the limitations of Claim 51. Lawler further discloses wherein the supplemental data is requested on-demand by the user's current actions (Column 4, lines 40-44).

Regarding Claim 69, Lawler discloses all the limitations of Claim 51. Lawler discloses that the supplemental data is displayed automatically by the program guide as the program guide displays additional information as it retrieves the information (Column 14, lines 16-29).

Regarding Claim 71, Lawler discloses all the limitations of Claim 51. Lawler discloses that the supplemental data includes video clips (Column 4, lines 40-44).

Regarding Claim 76, Lawler discloses an interactive television program guide system in which an interactive program guide (Figure 1, Figure 6) is implemented on user television equipment of a plurality of users (Figure 1, 14, 16, Figure 2), the user television equipment containing local memory configured to store program guide data for use by the interactive television program guide (Figure 2, 60, Column 9, lines 63-65) and the system having remote memory at a location remote from the local memory (Figure 1, 34, Column 4, lines 36-40), the remote memory being configured to store supplemental data for access by the

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interactive television program guide (Column 14, lines 16-29, Figure 4B, 268), comprising:

accessing program guide data for a program associated with a program listing displayed in the interactive program guide, wherein the program guide data is stored in the local memory (Column 9, lines 63-65); and

identifying the program listing based on the focus frame (Column 14, lines 16-29), as the user browse through the interactive program guide, to determine a potential upcoming need for supplemental data associated with program listing, wherein the supplement data is stored in the remote memory (headend) (Column 14, lines 16-29, Figure 4, 268, Column 4, lines 41-44);

and responsive to determining the potential upcoming need, automatically supplying the supplemental data from the remote memory to the interactive television program guide in advance of the upcoming need (Column 9, lines 54-60, Column 14, lines 16-29).

Regarding Claim 77, Lawler discloses all the limitations of Claim 76. Lawler discloses the television program guide system (Figure 1) comprises a television distribution facility (Figure 1, 12), the method comprising a television (TV) distribution facility configured to distribute TV programming to the users' equipment (Figure 1, 12, 34, 10, Column 3, lines 45-67).

Regarding Claim 79, Lawler discloses all the limitations of Claim 76. Lawler discloses that the TV distribution facility configured program guide data

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includes TV program listings (Column 4, lines 35-60, Figure 3, Figure 6) and the supplemental data includes detailed program descriptions for at least some of the TV program listings (Figure 3, 108, Column 14, lines 16-29, Column 4, lines 39-44, Figure 6, 268), the system further comprising a TV distribution facility in which the remote memory is located (Figure 1, 34).

Regarding Claim 80, Lawler discloses all the limitations of Claim 76.

Lawler discloses the program guide data stored in the local memory can be accessed more rapidly with IPG than the supplemental data stored in the remote memory as accessing supplemental data stored at the headend requires a request from the user or prediction of user's upcoming need (Column 9, lines 63-65, Column 10, lines 1-3).

Regarding Claim 81, Lawler discloses all the limitations of Claim 76.

Lawler discloses wherein the program guide data includes television program listings and wherein the supplemental data includes detail program description for at least some of the program listings (Column 14, lines 16-29, Column 4, lines 38-44, Figure 3, 108), the method further comprising a television distribution facility in which the remote memory is located (Column 4, lines 35-60), wherein the television program listings can be accessed more rapidly with the interactive program guide than the detailed program descriptions as accessing supplemental data stored at the headend requires a request from the user or prediction of user's upcoming need (Column 9, lines 63-65, Column 10, lines 1-3). See rejections of Claims 54, 55, 79 and 80.

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Regarding Claim 85, Lawler discloses all the limitations of Claim 76.

Lawler discloses wherein the supplemental data includes an application or application extension (Column 4, lines 41-45).

Regarding Claim 86, Lawler discloses all the limitations of Claim 85.

Lawler discloses the application or application extension is a user selectable option or a link to a video preview (Column 4, lines 41-45).

Regarding Claim 93, Lawler discloses all the limitations of Claim 76.

Lawler further discloses wherein the supplemental data is requested on-demand by the user's current actions (Column 4, lines 40-44).

Regarding Claim 94, Lawler discloses all the limitations of Claim 76.

Lawler discloses that the supplemental data is displayed automatically by the program guide as the program guide displays additional information as it retrieves the information (Column 14, lines 16-29).

Regarding Claim 96, Lawler discloses all the limitations of Claim 76.

Lawler discloses that the supplemental data includes video clips (Column 4, lines 40-44).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 53 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable Lawler in view of Hendricks et al (US 5,600,364 and hereafter referred to as "Hendricks").

Regarding Claim 53, Lawler discloses all the limitations of Claim 76.

Lawler discloses wherein the headend is configured to distribute TV programming to plurality of users (Figure 1, 12, 34, 10, Column 3, lines 45-67) and remote memory is located at the headend (Figure 1, 34). Lawler discloses supplemental data is delivered to the headend and stored at the remote memory (Column 4, lines 36-51) and program guide data redistributed by the TV distribution facility to the local memory (Column 9, lines 63-65). However, Lawler does not explicitly disclose the main facility sending data to the TV distribution facility. Hendricks discloses a main facility or network operations center sending supplemental data and program guide data to the TV distribution facility or headend (Column 8, lines 3-10, 44-67, Column 9, lines 1-9, 30-32, Column 30, lines 60-67, Column 31, lines 1-21). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the main facility sending data to the TV distribution facility (Column 8, lines 3-10, 44-67, Column 9, lines 1-9, 30-32) as taught by Hendricks in order for a networks controller to be versatile for satisfying carrying consumer and viewer needs (Column 21, lines 53-67, Column 3, lines 1-9) as disclosed by Hendricks.

Regarding Claim 78, Lawler discloses all the limitations of Claim 76.

Lawler discloses wherein the headend is configured to distribute TV programming to plurality of users (Figure 1, 12, 34, 10, Column 3, lines 45-67) and remote memory is located at the headend (Figure 1, 34). Lawler discloses supplemental data is delivered to the headend and stored at the remote memory (Column 4, lines 36-51) and program guide data redistributed by the TV distribution facility to the local memory (Column 9, lines 63-65). However, Lawler does not explicitly disclose the main facility sending data to the TV distribution facility. Hendricks discloses a main facility or network operations center sending supplemental data and program guide data to the TV distribution facility or headend (Column 8, lines 3-10, 44-67, Column 9, lines 1-9, 30-32, Column 30, lines 60-67, Column 31, lines 1-21). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the main facility sending data to the TV distribution facility (Column 8, lines 3-10, 44-67, Column 9, lines 1-9, 30-32) as taught by Hendricks in order for a networks controller to be versatile for satisfying carrying consumer and viewer needs (Column 21, lines 53-67, Column 3, lines 1-9) as disclosed by Hendricks.

9. Claims 58 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable Lawler in view of Mugura (US 6,518,986) and Matthews, III et al. (US 6,025,837 and hereafter referred to as "Matthews").

Regarding Claim 58, Lawler discloses all the limitations of Claim 51. Lawler discloses the program guide data (Figure 3, Column 4, lines 35-40)

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includes program listings (Figure 3), program titles (Figure 3, 88), times for showing programs (Figure 3, 92), channels where programs will be shown (Figure 3, 84).

Lawler is silent on program ratings, brief program descriptions, program categories, other related program categories and other frequently requested information that the user need quick access to.

In analogous art, Mugura discloses program ratings (Figure 13, 1358), brief program descriptions (Figure 13, 1302), program categories (Figure 20, 2004, Figure 21) and other related program categories (Figure 21, 2106, 2102). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include program guide data includes program ratings (Figure 13, 1358), brief program descriptions (Figure 13, 1302), program categories (Figure 20, 2004, Figure 21) and other related program categories (Figure 21, 2106, 2102) as taught by Mugura in order to make it more convenient and efficient for the user to select programs with this information.

The combination is silent on other frequently requested information.

Matthews discloses program guide data includes other frequently requested information that the user needs quick access to (Column 10, lines 5-13). Therefore, it would have been obvious to one of ordinary skill in the art to modify the combination to include program guide data includes other frequently requested information that the user need quick access to (Column 10, lines 5-13) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 83, Lawler discloses all the limitations of Claim 51. Lawler discloses the program guide data (Figure 3, Column 4, lines 35-40) includes program listings (Figure 3), program titles (Figure 3, 88), times for showing programs (Figure 3, 92), channels where programs will be shown (Figure 3, 84).

Lawler is silent on program ratings, brief program descriptions, program categories, other related program categories and other frequently requested information that the user need quick access to.

In analogous art, Mugura discloses program ratings (Figure 13, 1358), brief program descriptions (Figure 13, 1302), program categories (Figure 20, 2004, Figure 21) and other related program categories (Figure 21, 2106, 2102). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include program guide data includes program ratings (Figure 13, 1358), brief program descriptions (Figure 13, 1302), program categories (Figure 20, 2004, Figure 21) and other related program categories (Figure 21, 2106, 2102) as taught by Mugura in order to make it more convenient and efficient for the user to select programs with this information.

The combination is silent on other frequently requested information.

Matthews discloses program guide data includes other frequently requested information that the user needs quick access to (Column 10, lines 5-13). Therefore, it would have been obvious to one of ordinary skill in the art to modify the combination to include program guide data includes other frequently requested information that the user need quick access to (Column 10, lines 5-13)

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as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

10. Claims 62, 65, 66, 72, 74, 75, 87, 90, 91, 97, 99, 100 are rejected under 35 U.S.C. 103(a) as being unpatentable Lawler in view of Matthews.

Regarding Claim 62, Lawler discloses all the limitations of Claim 60.

Lawler is silent on the application is launched automatically from the EPG. Matthews discloses wherein the application is launched automatically by the program guide as the application extension is launched from the EPG (Column 9, lines 43-45, Column 10, lines 5-19, 30-50, 56-65, Figure 4). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the application is launched automatically by the program guide as the application extension is launched from the EPG (Column 9, lines 43-45, Column 10, lines 5-19, 30-50, 56-65, Figure 4) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 65, Lawler discloses all the limitations of Claim 51.

Lawler is silent on wherein the supplemental data includes an Internet address. Matthews further discloses wherein the supplemental data includes an Internet address (Column 10, lines 14-20, Figure 2, 58). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes an Internet address (Column 10, lines 14-20, Figure

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2, 58) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 66, Lawler discloses all the limitations of Claim 51. Lawler is silent on wherein the supplemental data includes an Internet address. Matthews further discloses wherein the supplemental data includes an Internet address and the EPG displays the Internet address as a link (Column 10, lines 14-20, Figure 2, 58). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes an Internet address and the EPG displays the Internet address as a link (Column 10, lines 14-20, Figure 2, 58) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 72, Lawler discloses all the limitations of Claim 51. Lawler is silent on wherein the supplemental data includes audio clips. Matthews discloses that the supplemental data includes audio clips (Column 3, lines 55-57, Column 7, lines 13-20). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes audio clips (Column 3, lines 55-57, Column 7, lines 13-20) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 74, Lawler discloses all the limitations of Claim 51. Lawler is silent on wherein the supplemental data includes trivia information. Matthews discloses that the supplemental data includes trivia (Column 7, lines

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13-20). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes trivia (Column 7, lines 13-20) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 75, Lawler discloses all the limitations of Claim 51. Lawler is silent on the supplemental data includes advertisements. Matthews discloses that the supplemental data includes advertisements (Column 7, lines 13-20). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes advertisements (Column 7, lines 13-20) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 87, Lawler discloses all the limitations of Claim 85. Lawler is silent on the application is launched automatically from the EPG. Matthews discloses wherein the application is launched automatically by the program guide as the application extension is launched from the EPG (Column 9, lines 43-45, Column 10, lines 5-19, 30-50, 56-65, Figure 4). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the application is launched automatically by the program guide as the application extension is launched from the EPG (Column 9, lines 43-45, Column 10, lines 5-19, 30-50, 56-65, Figure 4) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 90, Lawler discloses all the limitations of Claim 76.

Lawler is silent on wherein the supplemental data includes an Internet address. Matthews further discloses wherein the supplemental data includes an Internet address (Column 10, lines 14-20, Figure 2, 58). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes an Internet address (Column 10, lines 14-20, Figure 2, 58) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 91, Lawler discloses all the limitations of Claim 76.

Lawler is silent on wherein the supplemental data includes an Internet address. Matthews further discloses wherein the supplemental data includes an Internet address and the EPG displays the Internet address as a link (Column 10, lines 14-20, Figure 2, 58). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes an Internet address and the EPG displays the Internet address as a link (Column 10, lines 14-20, Figure 2, 58) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 97, Lawler discloses all the limitations of Claim 76.

Lawler is silent on wherein the supplemental data includes audio clips. Matthews discloses that the supplemental data includes audio clips (Column 3, lines 55-57, Column 7, lines 13-20). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes audio

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clips (Column 3, lines 55-57, Column 7, lines 13-20) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 99, Lawler discloses all the limitations of Claim 76. Lawler is silent on wherein the supplemental data includes trivia information. Matthews discloses that the supplemental data includes trivia (Column 7, lines 13-20). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes trivia (Column 7, lines 13-20) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

Regarding Claim 100, Lawler discloses all the limitations of Claim 76. Lawler is silent on the supplemental data includes advertisements. Matthews discloses that the supplemental data includes advertisements (Column 7, lines 13-20). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lawler to include the supplemental data includes advertisements (Column 7, lines 13-20) as taught by Matthews in order to enable further viewer interactivity for hyperlink information (Column 2, lines 32-42) as disclosed by Matthews.

11. Claims 63, 64, 67, 69, 70, 88, 89, 92, 94 and 95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler in view of Shoff et al (US 6,240,555 and hereafter referred to as "Shoff").

Regarding Claim 63, Lawler discloses all the limitations of Claim 51.

Lawler is silent on supplemental data includes real-time information. Shoff further discloses the supplemental data includes real-time information (Column 10, lines 53-58, Column 11, lines 59-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include the supplemental data includes real-time information (Column 10, lines 53-58, Column 11, lines 59-65) as taught by Shoff in order to provide users with surprising trivia game which quizzes the users as to possible outcomes of various scenes, and specifically, to entice users to participate along with the current program viewing (Column 10, lines 53-55) in which users will experience an enjoyable way to view a TV program (Column 1, lines 26-33) as disclosed by Shoff.

Regarding Claim 64, Lawler and Shoff disclose all the limitations of Claim 63. Shoff discloses the real-time information is overlaid on the TV program by the program guide on an on-going basis (Column 10, lines 44-59, Column 11, lines 59-65).

Regarding Claims 67, Lawler discloses all the limitations of Claim 51.

Lawler is silent on the supplemental data includes real-time information and the EPG displays an information screen in which the real time data is displayed. Shoff further discloses the supplemental data includes real-time information and the EPG displays an information screen in which the real time data is displayed (Column 10, lines 53-58, Column 11, lines 59-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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modify Lawler to include the supplemental data includes real-time information and the EPG displays an information screen in which the real time data is displayed (Column 10, lines 53-58, Column 11, lines 59-65) as taught by Shoff in order to provide users with surprising trivia game which quizzes the users as to possible outcomes of various scenes, and specifically, to entice users to participate along with the current program viewing (Column 10, lines 53-55) in which users will experience an enjoyable way to view a TV program (Column 1, lines 26-33) as disclosed by Shoff.

Regarding Claims 70, Lawler discloses all the limitations of Claim 51. Lawler is silent on supplemental content including biographies. Shoff further discloses wherein the supplemental data includes biographies (Column 11, line 30). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include the supplemental data includes biographies (Column 11, line 30) as taught by Shoff in order to provide an enjoyable way for users to experience a TV program (Column 1, lines 26-33) as disclosed by Shoff.

Regarding Claim 88, Lawler discloses all the limitations of Claim 76. Lawler is silent on supplemental data includes real-time information. Shoff further discloses the supplemental data includes real-time information (Column 10, lines 53-58, Column 11, lines 59-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include the supplemental data includes real-time information (Column 10, lines 53-58, Column 11, lines 59-65) as taught by Shoff in order to provide

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users with surprising trivia game which quizzes the users as to possible outcomes of various scenes, and specifically, to entice users to participate along with the current program viewing (Column 10, lines 53-55) in which users will experience an enjoyable way to view a TV program (Column 1, lines 26-33) as disclosed by Shoff.

Regarding Claim 89, Lawler and Shoff disclose all the limitations of Claim 88. Shoff discloses the real-time information is overlaid on the TV program by the program guide on an on-going basis (Column 10, lines 44-59, Column 11, lines 59-65).

Regarding Claims 92, Lawler discloses all the limitations of Claim 76. Lawler is silent on the supplemental data includes real-time information and the EPG displays an information screen in which the real time data is displayed. Shoff further discloses the supplemental data includes real-time information and the EPG displays an information screen in which the real time data is displayed (Column 10, lines 53-58, Column 11, lines 59-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include the supplemental data includes real-time information and the EPG displays an information screen in which the real time data is displayed (Column 10, lines 53-58, Column 11, lines 59-65) as taught by Shoff in order to provide users with surprising trivia game which quizzes the users as to possible outcomes of various scenes, and specifically, to entice users to participate along with the current program viewing (Column 10, lines 53-55) in

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which users will experience an enjoyable way to view a TV program (Column 1, lines 26-33) as disclosed by Shoff.

Regarding Claim 95, Lawler discloses all the limitations of Claim 76. Lawler is silent on supplemental content including biographies. Shoff further discloses wherein the supplemental data includes biographies (Column 11, line 30). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include the supplemental data includes biographies (Column 11, line 30) as taught by Shoff in order to provide an enjoyable way for users to experience a TV program (Column 1, lines 26-33) as disclosed by Shoff.

12. Claims 73 and 98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler in view of Lawler et al (US 2005/0160452 and hereafter referred to as "Lawler2").

Regarding Claim 73, Lawler discloses all the limitations of Claim 51. Lawler discloses that the supplemental data includes program summary panel graphics (Column 8, lines 34-50). Lawler2 discloses supplemental data includes bitmap graphics (Page 6, paragraph 0076). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include the supplemental data includes bitmap graphics (Page 6, paragraph 0076) as taught by Lawler2 in order to provide images when the viewer requests supplemental information (Pages 1-2, paragraph 0013-0014) as

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disclosed by Lawler in a standard graphics file format and to not store information in the user set top box unless needed.

Regarding Claim 98, Lawler discloses all the limitations of 76. Lawler discloses that the supplemental data includes program summary panel graphics (Column 8, lines 34-50). Lawler2 discloses supplemental data includes bitmap graphics (Page 6, paragraph 0076). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include the supplemental data includes bitmap graphics (Page 6, paragraph 0076) as taught by Lawler2 in order to provide images when the viewer requests supplemental information (Pages 1-2, paragraph 0013-0014) as disclosed by Lawler in a standard graphics file format and to not store information in the user set top box unless needed.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday 7:30 am to 1:30 pm, Tuesday 7:30 am to 2:30 pm and Wednesday-Friday 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FARZANA HOSSAIN/
Examiner, Art Unit 2424

August 24, 2009